

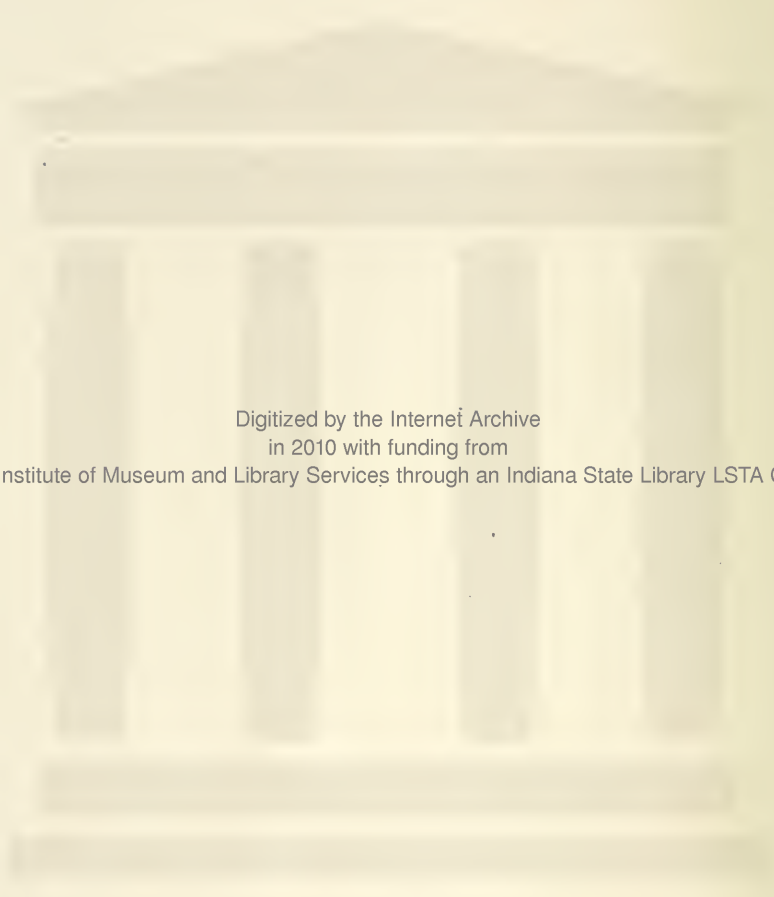
ABRAHAM LINCOLN

ON PRESENT-DAY PROBLEMS
AND ABRAHAM LINCOLN AS
REPRESENTED BY

THEODORE ROOSEVELT.



LETTER TO THE MEMBERS
STATE CONSTITUTIONAL CONVENTION
COLUMBUS, OHIO, FEBRUARY, 1912



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TO THE HONORED MEMBERS OF THE OHIO CONSTITUTIONAL CONVENTION:

In justice to the memory of Lincoln solely, and not in enmity to Theodore Roosevelt; in order that my fellow citizens may judge for themselves, I venture to compare Mr. Roosevelt's claims and assertions with the utterances of Abraham Lincoln.

Granted that the times have changed—that the problems of to-day are different from those that confronted Lincoln—still the fundamentals are the same and Lincoln's prayer at Gettysburg that "Government of the people, by the people and for the people shall not perish from the earth" applies now as it did when spoken almost 50 years ago.

Briefly contrast the quality of their manhood by what they said. In his first inaugural, Mr. Roosevelt said: "*If the risk to the President's life became great, it would mean that the office would more and more come to be filled with men of a spirit which would make them resolute and merciless in dealing with every friend of disorder,*" and, "The American people are slow to wrath, but when their wrath is once kindled it burns like a consuming flame." Ponder these words and the threat of a merciless President *to be*, and compare them with the persuasive words of Lincoln's first inaugural delivered under circumstances that might have called forth, and with Roosevelt would have called forth, a menace or threat: "*We are not enemies but friends; we must not be enemies. Though passion may have strained, it must not break the bonds of affection.*" (Roosevelt's way would have been to throw his hat in the ring, crack his heels together, and threaten to lick 'em to a frazzle.)

These utterances clearly indicate the inherent difference between the characters of the two men—one always for a row; the other always for peace. So much for the men.

I maintain that in his Columbus speech Mr. Roosevelt is guilty of attempting to mislead his fellow-men into the belief that Lincoln, who is now one of the "fathers who framed the Government under which we (now) live," was of the same opinion as Roosevelt and that in so doing Roosevelt puts himself in the class of Judge Douglas, who Lincoln, without naming him, accused of substituting falsehood and deception (as to history)

for truthful evidence and fair argument, as follows: In Roosevelt's speech at Columbus, Ohio, February 21st, 1912, he is reported as saying:

"Lincoln actually applied in successful fashion the principle of the "recall" in the Dred Scott case. He *denounced the Supreme Court* for that iniquitous decision in language much stronger than I have ever used in criticizing any court, and appealed to the people to "recall" the decision—the word "recall" in this connection was not then known, but the phrase exactly describes what he advocated";

and

"In any contest to-day where the people stand for justice and the courts *do not*, the man who supports the courts against the people . . . is the spiritual heir . . . of the Cotton Whigs who supported Chief Justice Taney and *denounced Lincoln for attacking the courts and the Constitution.*"

LINCOLN ATTACK THE COURTS AND THE CONSTITUTION!!
NO MAN EVER LIVED WHO HAD A MORE SINCERE REVERENCE AND RESPECT AND LOVE FOR THE COURTS AND THE CONSTITUTION. NO HONEST MAN EXCEPT THROUGH INEXCUSABLE IGNORANCE CAN SAY THAT LINCOLN EVER ATTACKED THE CONSTITUTION.

After the assertion that Lincoln *denounced* the Supreme Court in language stronger than Roosevelt ever used in *criticizing any court*, Roosevelt in speaking of the Court of Appeals of the State of New York says:

"But as a matter of *fact* (no opinion, mind you—*fact*) their reasoning was *unsound* and was as *repugnant* to every sound defender of the Constitution as to every believer in justice and righteousness."

And yet he has the hardihood to say that Lincoln used in denouncing the Supreme Court stronger language. Mr. Roosevelt cannot point to any speech, letter or paper of Lincoln justifying this statement.

In Lincoln's first inaugural, he said:

"I do not forget the position assumed by some, that Constitutional questions are to be decided by the Su-

preme Court; nor do I deny that such decisions must be binding, in any case, upon the parties to a suit, as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the Government. And while it is obviously possible that such decision may be erroneous in any given case, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice.

“At the same time, the candid citizen must confess that if the policy of the Government, upon vital questions affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordinary litigation between parties in personal actions (Dred Scott decision was of this character) the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. *Nor is there in this view any assault upon the Court or the Judges.* It is a duty from which they may not shrink to decide cases properly brought before them *and it is no fault of theirs if others seek to turn their decisions to political purposes.*”

In Roosevelt's speech, February 21st, 1912, at Columbus, he is reported as saying:

“Abraham Lincoln said in his first inaugural: ‘If the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by the decisions of the Supreme Court. . . . the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. Nor is there in this view any assault upon the courts or the judges.’”

DO YOU THINK LINCOLN WOULD HAVE SO DISTORTED THE MEANING OF ANYONE, MUCH LESS THE WORDS OF A MAN HE PROFESSED TO ADMIRE AND FOLLOW? IT IS IMPOSSIBLE!

In answer to Judge Douglas at Chicago, July 10th, 1858, Lincoln said:

"I have expressed heretofore and I now repeat my opposition to the Dred Scott decision, but I should be allowed to state the nature of that opposition, and I ask your indulgence while I do so. What is fairly implied by the term Judge Douglas has used, 'resistance to the decision?' *I do not resist it.* If I wanted to take Dred Scott from his master, I would be interfering with property, and that terrible difficulty that Judge Douglas speaks of, of interfering with property, would arise. But I am doing no such thing as that, but all that I am doing is refusing to obey it *as a political rule.* If I were in Congress and a vote should come up on a question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott decision, I would vote that it should. That is what I would do."

In his speech at Springfield, July 17th, 1858, he said:

"I am opposed to that decision (Dred Scott) in a certain sense, but not in the sense which he (Douglas) puts on it. I say that in so far as it decided in favor of Dred Scott's master, and against Dred Scott and his family, I do not propose to disturb or resist the decision. I have never proposed to do any such thing. He (Douglas) would make it a rule of political action for the people and all the departments of the Government. I would not. By resisting it *as a political rule* I disturb no right of property, create no disorder, excite no mobs."

In each of the speeches made by Lincoln in his debate with Douglas, this Dred Scott decision was touched upon, but the above quotations from the speeches of Lincoln cover entirely his opposition to the decision.

The following is from Roosevelt's Columbus speech, February 21st, 1912:

"It was Lincoln who appealed to the people against the judges when the judges went wrong, who advocated and secured what was practically the recall of the Dred Scott decision, and who treated the Constitution as a living force for righteousness.

"We stand for applying the Constitution to the issues of to-day as Lincoln applied it to the issues of his day; Lincoln, mind you, and not Buchanan, was the real

upholder and preserver of the Constitution, for the true progressive, the progressive of the Lincoln stamp, is the only true constitutionalist, the only real conservative."

Here we have Roosevelt's admission that Lincoln "treated the Constitution as a living force for righteousness" and what is of great importance to him in order that the mantle of Lincoln may be assumed, he claims: "*The true progressive, the progressive of the Lincoln stamp, is the only true constitutionalist, the real conservative.*" Any student of Lincoln's speeches and letters will heartily agree that he treated the Constitution as a living force for righteousness, for Lincoln loved the Constitution as well as his country and his fellow-man. But I submit that the above and the following assertions that Lincoln denounced the Supreme Court and attacked the Constitution are not only incompatible with this view; with his every utterance; with his whole life; but *are absolute substitutions of falsehood and deceit for truth and fair argument.*

Roosevelt is quoted as saying:

"Lincoln actually applied in successful fashion the principle of the recall in the Dred Scott case. He denounced the Supreme Court for that iniquitous decision in language much stronger than I have ever used in criticizing any court, and appealed to the people to recall the decision—the word 'recall' in this connection was not then known, but the phrase exactly describes what he advocated.

"He was successful, the people took his view, and the decision was practically recalled. It became a dead letter without the need of any Constitutional amendment.

"In any contest to-day where the people stand for justice and the courts do not, the man who supports the courts against the people is untrue to the memory of Lincoln, and shows that he is the spiritual heir, not of the men who followed and supported Lincoln, but of the Cotton Whigs who supported Chief Justice Taney and denounced Lincoln for attacking the courts and the Constitution."

I have shown elsewhere to what extent and on what grounds Lincoln opposed the Dred Scott decision, and nowhere in Lincoln's speeches will be found even the semblance of a justification of Mr. Roosevelt's claims.

In his speech at Columbus, Mr. Roosevelt said:

"I believe in pure democracy. With Lincoln, I hold that 'this country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their Constitutional right of amending it.'"

"We progressives believe that the people have the right, the power and the duty to protect themselves and their own welfare; that human rights are supreme over all other rights; that wealth should be the servant, not the master, of the people."

I do not impugn Mr. Roosevelt's motive in quoting but part of a single sentence of Lincoln's first inaugural. I do maintain, however, that a partial statement such as the above quotation is not fair to Lincoln.

Lincoln said in his first inaugural:

"This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their Constitutional right of amending it, or their revolutionary right to dismember or overthrow it."

It may be that because the balance of the sentence covering the revolutionary right of the people to overthrow the Government would cause men to pause before taking the first step in following Mr. Roosevelt, he omitted it. I do not assume to say why half a sentence should have been quoted by Mr. Roosevelt. I do maintain, however, that the subsequent remarks of Lincoln in his first inaugural, quoted below, demonstrates that Roosevelt's scheme of the recall is not in the slightest degree Lincoln's view. Lincoln said in his first inaugural following the above:

"By the frame of the Government under which we live, this same people have wisely given their public servants but little power for mischief; and have, with equal wisdom, provided for the return (recall) of that little to their own hands at very short intervals. While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the Government in the short space of four years."

This, instead of Mr. Roosevelt's misinterpretation of Lincoln's opposition to the Dred Scott decision, expresses Lincoln's view of the recall. "The fathers who framed the Government under which we live" provided all necessary means of recall of any power granted to public servants.

In looking for the condensed (?) quotation from Lincoln on Capital and Labor as given by Mr. Roosevelt, I find some early remarks of Lincoln which seem to me more pertinent to present day conditions than Mr. Roosevelt's citations. In January, 1837, addressing the Illinois Legislature on a resolution to *investigate the State bank*, he said:

"I make the assertion boldly and without fear of contradiction, that no man, who does not hold an office or does not aspire to one has ever found any fault of the bank. No, sir, it is the politician who is the first to sound the alarm (which, by the way, is a false one). It is he who by these unholy means is endeavoring to blow up a storm that he may ride upon and direct."

"Mr. Chairman, this work is exclusively the work of politicians; a set of men who have interests aside from the interests of the people, and who, to say the most of them, are, taken as a mass, at least one long step removed from honest men. I say this with the greater freedom because, being a politician myself, none can regard it as personal."

In his address January 27th, 1837, addressing the Young Men's Lyceum, Mr. Lincoln, after urging a reverence for law and a respect for the Government and Constitution, said:

"Is it unreasonable, then, to expect that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time spring up among us? And when such an one does, it will require the people to be united with each other, attached to the Government and laws, and generally intelligent, to successfully frustrate his designs. Distinction will be his paramount object, and although he would as willingly, perhaps more so, acquire it by doing good as harm, yet, that opportunity being past, and nothing left to be done in the way of building up, he would set boldly to the task of pulling down." In his closing remarks, Lincoln said: "Reason—cold, calculating reason—unimpassioned reason—must furnish all the materials

for our future support and defense. Let those materials be molded into general intelligence, sound morality, and, *in particular, a reverence for the Constitution and laws.*"

DOES NOT THIS SEEM PROPHETIC? THE MAN OF GENIUS, THE MAN OF AMBITION UNBOUNDED, THE MAN WHO WOULD DO GOOD BUT WHO DEMANDS DISTINCTION, HAS ARRIVED.

In his speech at Columbus, Mr. Roosevelt is quoted as saying:

"Lincoln, with his clear vision, his ingrained sense of justice, and his spirit of kindly friendliness to all, forecast our present struggle and saw the way out. What he said should be pondered by capitalist and working-man alike. He spoke as follows (I condense):

I hold that while man exists, it is his duty to improve not only his condition but to assist in ameliorating mankind. Labor is prior to and independent of capital. Labor is the superior of capital, and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor should this lead to a war upon property. Property is the fruit of labor. Property is desirable, is a positive good in the world. Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built.

"The last sentence characteristically shows Lincoln's homely, kindly, common sense. His is the attitude that we ought to take. He showed the proper sense of proportion in his relative estimates of capital and labor, of human rights and the rights of wealth. Above all, in what he thus said, as on so many other occasions, he taught the indispensable lesson of the need of wisdom and charity of sanity and moderation in the dealings of men with one another."

The quotation is partly from Lincoln's message to Congress December, 1861, partly from his reply March 21st, 1864, to a Committee from the Workingman's Association of New York.

Notwithstanding the remarks of Mr. Roosevelt are complimentary, I submit that a full quotation instead of a condensation would convey a very different impression to the audience he addressed.

The first sentence of the quotation I suppose is Mr. Roosevelt's as it does not occur in the two speeches of Lincoln's mentioned. The full quotation would read:

"Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between capital and labor producing mutual benefits. The error is in assuming that the *whole* labor of the community exists within that relation. A few men own capital, and that few avoid labor themselves, and with their capital hire *or buy* another few to labor for them." The above from Lincoln's message of December, 1861, quoted by him in his address to the Workingman's Committee, and goes on to show the difference between slave and hired labor.

"The strongest bond of human sympathy outside of the family relation should be one uniting all working people, of all nations, and tongues, and kindreds. Nor should *this* lead to a war upon property, or the owners of property. Property is the fruit of labor; property is desirable; is a positive good in the world. That some should be rich shows that others may become rich, and hence is just encouragement to industry and enterprise. Let not him who is houseless pull down the house of another but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built."

Mr. Lincoln plainly says that the bond of sympathy between workmen should *not* lead to a war upon property or its owners. Mr. Roosevelt in his condensation makes him say that the rights of property should not lead to a war upon property. Moreover, Lincoln was discussing primarily slave labor. He says a few avoid labor, and with their capital hire *or buy* another few to labor for them.

In connection with the frequency with which Mr. Roosevelt uses Lincoln's name and sayings, I commend to his attention the following from Lincoln's Cooper Institute speech, February 27th, 1860:

"If any man at this day sincerely believes that a proper division of local from Federal authority, or any part of the Constitution forbids the Federal Government to control as to slavery in the Federal Territories, he has a right to say so, and to enforce his position by all *truthful* evidence and fair argument which he can. But he has *no right* to mislead others, who have less access to history, and less leisure to study it, into the false belief that 'our fathers who framed the Government under which we live' were of the same opinion—thus substituting falsehood and deception for truthful evidence and fair argument."

And also from the same speech the following:

"What is conservatism? Is it not adherence to the old and tried, against the new and untried? We stick to, contend for, the identical old policy on the point in controversy which was adopted by 'our fathers who framed the Government under which we live'; while you, with one accord, reject and scout and spit upon that old policy, and insist upon substituting something new. True, you disagree among yourselves as to what that substitute shall be. You are divided on new propositions and plans, but you are unanimous in rejecting and denouncing the old policy of the fathers."

I submit that these utterances are applicable to the present situation in our political life, and demonstrate with almost prophetic foresight Lincoln's criticism of the man with leisure to study and with access to history applies to Mr. Roosevelt; and that Mr. Roosevelt now occupies a position similar to that of Stephen A. Douglas in Lincoln's day, "*substituting falsehood and deception for truthful evidence and fair argument*," whenever he attempts to mislead the American people into a false belief as to Lincoln's views respecting the Supreme Court and the Constitution of the United States.

JUDD STEWART.

Plainfield, N. J., February 26, 1912.

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